

Docket No. RSW920030197US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James M. Mathewson II, et al

Serial No.: 10/666,700

Filed: September 19, 2003

For: Using Radio Frequency Identification with Transaction Receipts to Detect and/or Prevent Theft and Shoplifting

Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



CERTIFICATE OF MAILING UNDER 37 CFR 1.8(A)

I hereby certify that the following attached correspondence comprising:

1. **Response to Notice Under 37 CFR 1.251 - Pending Application (1 page)**
2. **Copy of Notice Under 37 CFR 1.251 received from Patent Office (3 pages)**
3. **Copy of Patent Application and all related filing documents. (50 pages)**
4. **Copy of IDS filed on 9/19/05 and copies of related art.**
5. **Copy of IDS filed on 8/4/05 and 4/12/05**
6. **Copy of Post Card with PTO stamped filing date of 9/19/03**
7. **Return Receipt Post Card**

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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On: September 21, 2005

Catherine M. Robbins

Catherine M. Robbins

(Name of Person Mailing Paper or Fee)

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of : September 21, 2005
James M. Mathewson II, et al : IBM Corporation
Serial No. 10/666,700 : Dept.T81/Bldg. 062
Filed: 09/19/2003 : P.O. Box 12195
For: Using Radio Frequency Identification : Res. Tri. Park, NC 27709
with Transaction Receipts to Detect and/or :
Prevent Theft and Shoplifting :

RESPONSE TO NOTICE UNDER 37 CFR 1.251 - Pending Application

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Alexandria, VA 22313-1450

In response to the Notice Under 37 CFR 1.251 enclosed please find a copy of applicant's complete and accurate record of all correspondence between the Patent Office and applicant with regard to the above application which was filed on September 19, 2003.

It is further noted that an Official Filing Receipt has not been issued for this application. It is hereby requested that a Official Filing Receipt be issued for this application and a copy forwarded to our office.

Respectfully submitted,


A. Bruce Clay
Attorney for Applicant
Reg. No. 32,121

Docket No: RSW920030197US1

PHONE: 919-254-6717

FAX: 919-254-4330

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UNITED STATES PATENT AND TRADEMARK OFFICE

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RSM 920030197 US1UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,700	09/15/2005			1988
7590				EXAMINER
IBM CORPORATION, T81/503 A: BRUCE CLAY PO BOX 12195 RES. TRI. PARK, NC 27709				
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Documents filed on 09/19/03

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U. S. Patent and Trademark Office
Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

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PTO Doc. Code: R251.NTC (Rev. 03/05)

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Approved for use through 07/31/2006.OMB 0651-0031

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In re Application of:

Application No.: 10/666700

Filing Date: 09/19/2003

Title:

Direct to:
U. S. Patent and Trademark Office
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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application

Statement (check the appropriate box):

The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

Date

9/20/05

Signature

A. Bruce Clay

Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

PTO Doc Code: R251.RES (Rev. 03/05)

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